

**Title 2—DEPARTMENT OF  
AGRICULTURE  
Division 70—Plant Industries  
Chapter 25—Pesticides**

**PROPOSED AMENDMENT**

**2 CSR 70-25.065 Acceptable Insurance and Bond Forms for Commercial Applicators.** The director is amending subsections (1)(A) and (B), amending section (2) and adding sections (3), (4) and (5).

*PURPOSE: This amendment changes commercial applicator insurance requirements to meet updated provisions of 281.065.*

(1) Commercial applicators must use one (1) of the following methods for providing evidence of financial responsibility:

(A) *[Acceptable i]* Insurance or bond forms *[will be]* provided by the **director***[Bureau of Pesticide Control, Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102]*. These forms must be completed and signed by an insurance company representative or a bonding agent. Acceptable bonds must have power of attorney, or authority to bind surety, attached;

(B) Certificates of insurance provided by insurance companies. **These forms must** *[shall]* include **the following information for the commercial pesticide business:**

1. *[Applicator's name, b]***Business name***[,]* and business address;
2. Policy number;
3. Effective and expiration dates;
4. Limits of liability; and
5. Insurance company representative's signature; or

(C) Complete insurance policies which meet the requirements of section 281.065, RSMo.

(2) *[Only bond forms provided by the director are acceptable.]* **Before the completion of an inspection, the commercial pesticide business establishment or certified commercial applicator must make available for inspection by the director a valid form of financial responsibility that has an effective date of coverage prior to or on the date of inspection and a future expiration date.**

(3) **If a valid form of financial responsibility is not made available to the director for inspection before the completion of the inspection, the commercial pesticide business establishment will receive a Notice of Warning for being in violation of Section 281.065. All commercial use of pesticides, supervision of the use of pesticides, and determining the need for the use of pesticides by licensed certified applicators, licensed technicians, and noncertified applicators working from the commercial pesticide business establishment must immediately cease upon receipt of the Notice of Warning.**

(4) **If the Jefferson City office of the Bureau of Pesticide Control does not receive an acceptable form of financial responsibility within sixty (60) days of the issuance of a Notice of Warning, the director will issue a Notice of Cancellation in accordance with Section 281.065 (3), cancelling all certified commercial applicator licenses at the commercial pesticide business establishment.**

**(5) Employers of certified commercial applicators must notify the director within ten (10) working days of the discontinued employment of a certified commercial applicator or when the company's liability insurance or surety bond no longer provides coverage for a certified commercial applicator. Notification shall include: the employer's business name and address; the certified commercial applicator's name and license number; and the date of discontinued employment or discontinued liability coverage.**

*AUTHORITY: section 281.065, RSMo 2000.\* Original rule filed July 8, 1977, effective Oct. 14, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed March 8, 2012, effective Sept. 30, 2012.*

*\*Original authority: 281.065, RSMo 1974, amended 1977, 1988.*

*PUBLIC COST: This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*